Public Laws: Senate/Bills/110th Congress/2nd Session/2008

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II

110TH CONGRESS
2D SESSION

S. 3117

To apply an alternative payment amount under the Medicare program for certain graduate medical education programs established to train residents displaced by natural disasters.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2008

Mr. VITTER (for himself and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To apply an alternative payment amount under the Medicare program for certain graduate medical education programs established to train residents displaced by natural disasters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ALTERNATIVE PAYMENT AMOUNTS FOR GRADUATE MEDICAL EDUCATION PROGRAMS ESTABLISHED TO TRAIN RESIDENTS DISPLACED BY NATURAL DISASTERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, in applying section 1886(h) of the Social Secu-

rity Act (42 U.S.C. 1395ww(h)(2)), and any regulations implementing such section, with respect to an eligible hospital for a cost reporting period beginning on or after July 1, 2005, the Secretary of Health and Human Services shall provide for payments for direct graduate education costs in accordance with subsection (c) for such hospital and cost reporting period.

(b) ELIGIBLE HOSPITAL DEFINED.—In this section, the term "eligible hospital" means a hospital that—

(1) did not have a graduate medical education program under section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) before the date of a presidential declaration of major disaster issued under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(2) established such a program to educate residents displaced from a graduate medical education program impacted by such disaster; and

(3) is located in a wage area that is in, or immediately adjacent to, an area for which such disaster was declared.

(c) PAYMENT TO ELIGIBLE HOSPITALS.—The payment amount for an eligible hospital for a cost reporting period in which the hospital operates a graduate medical

education program referred to in subsection (b)(2) shall be—

(1) for the first such cost reporting period, the reasonable costs (as determined based on rules applied in determining reasonable costs under section 1886(h)(2)(A) of the Social Security Act) incurred by the hospital for such program;

(2) for the second such cost reporting period, computed based on an alternative FTE resident amount calculated as described in section 1886(h)(2)(A) of the Social Security Act (42 U.S.C. 1395ww(h)(2)(A)), but using the reasonable costs incurred by the hospital for such program during such second cost reporting period and the number of FTE residents (as described in section 1886(h)(3)(B)(ii) of the Social Security Act (42 U.S.C. 1395ww(h)(3)(B)(ii)) in the program for such second cost reporting period; and

(3) for the third such cost reporting period and each subsequent cost reporting period, computed based on the alternative FTE resident amount under this section for the previous cost reporting period, updated and adjusted as described in section

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1886(h)(2)(D) of the Social Security Act (42 U.S.C. 1395ww(h)(2)(D)).

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